



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

December 7, 2015

1512-PUD-28

Exhibit 1

Petition Number: 1512-PUD-28

Subject Site Address: *Northeast corner of S.R. 32 and Sun Park Drive*

Petitioner: Custard Kings, Inc. by Bose McKinney & Evans LLP

Request: Petitioner requests a change of zoning of approximately 1.11 acres+/- from the EI: Enclosed Industrial District to the Culver's Sun Park PUD District.

Current Zoning: EI: Enclosed Industrial District;
State Road 32 Overlay District; and,
U.S. 31 Overlay District

Current Land Use: Vacant

Approximate Acreage: 1.11 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Conceptual Site Plan
4. Building Character Exhibit
5. Culver's Sun Park PUD Ordinance, Ord. 15-44
6. Gateway Sub-District Comprehensive Plan Addendum

Staff Reviewer: Kevin M. Todd, AICP

PROCEDURAL

City Council: The PUD Amendment Ordinance was introduced to the City Council at the November 9, 2015, meeting.

Public Hearing: Public hearings by the APC are required for Planned Unit Developments. The petition is scheduled to receive a public hearing at the December 7, 2015 Advisory Plan Commission (the "APC") meeting. Notice of the December 7, 2015, public hearing was provided for in accordance with the APC Rules of Procedure.

STATUTORY CONSIDERATIONS

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.

2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

PROJECT OVERVIEW

Location: This subject property (the “Property”) is approximately 1.11 acres +/- in size and is located at the northeast corner of State Road 32 and Sun Park Drive (see Exhibit 2). The Property is currently zoned EI: Enclosed Industrial District and it falls within the State Highway 32 Overlay District and the U.S. 31 Overlay District.

Project Overview: The Petitioner is requesting a change of zoning to a commercial Planned Unit Development (PUD) District to be known as “Culver’s Sun Park PUD” (the “Proposal”). The Proposal defaults to the City’s GB: General Business District standards and the State Road 32 Overlay District standards, with a few modifications. The U.S. 31 Overlay standards would not apply to the Property. The Proposal includes a provision that allows at least 700 square feet of outdoor seating area to count towards meeting the State Highway 32 Overlay District’s minimum building square footage requirement of 5,000 square feet. The Proposal also includes modifications to interior parking lot and perimeter parking lot landscaping requirements.

The PUD Ordinance includes a building character exhibit which demonstrates a minimum quality and appearance of structures within the project.

Comprehensive Plan: The 2015 Grand Junction Sub-District Addendum to the Westfield-Washington Township Comprehensive Plan (the “Gateway Sub-District Plan”) establishes a detailed vision and recommendations for the Gateway area of the community (the four corners of the intersection of U.S. 31 and State Road 32). The general vision is to develop each of the four corners with substantial building height and massing, so as to create a new skyline and dynamic “front door” for the City of Westfield. The Gateway Sub-District Plan encourages each quadrant be planned in its entirety to better ensure the overall vision is realized – however, it is acknowledged that planning/developing in this manner may not always be possible. The Culver’s Sun Park PUD proposal is for a small portion of the larger Northwest Quadrant of the Gateway Sub-District. The remainder of the Northwest Quadrant is under the ownership of multiple entities, and incorporating those properties into the Culver’s plan was not feasible at the time of filing. The proposed development of the Property, together with the future extension of Tournament Trail to the east, would not prevent the remainder of the Northwest Quadrant from developing in a manner that is consistent with the Gateway Sub-District Plan.

STAFF COMMENTS

1. Hold a public hearing at the December 7, 2015, APC meeting. No action is required at this time.
2. Prior to the final disposition, the petitioner will make any necessary revisions to the proposal based on APC comments, public comments and any additional staff comments.
3. If any APC member has questions prior to the public hearing, then please contact Kevin Todd at 317.379.6467 or ktodd@westfield.in.gov.